

FILED

MAR - 6 2015

CLERK, U.S. DISTRICT COURT
DISTRICT OF NEVADA

BY _____ DEPUTY

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

2:14-CR-249-APG-(PAL)

WEI SENG PHUA,
DARREN WAI KIT PHUA,
SENG CHEN YONG,
WAI KIN YONG,
HUI TANG,
YAN ZHANG,
YUNG KEUNG FAN,
HERMAN CHUN SANG YEUNG,

Defendants.

SUBSTITUTION AND FORFEITURE ORDER

This Court, having read and considered the United States of America's Motion to Substitute and to Forfeit Property of Darren Wai Kit Phua, and good cause appearing, finds the assets described below are owned by the above-named defendants and that the property subject to criminal forfeiture (1) cannot be located upon the exercise of due diligence; (2) has been transferred to a third party; and (3) has been placed beyond the jurisdiction of the court.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the following assets are substituted and are forfeited to the United States of America pursuant to 21 U.S.C. § 853(p):

Darren Wai Kit Phua agreed to the substitution and forfeiture of \$125,000 in United States Currency and other specific assets listed below to satisfy the criminal forfeiture judgment; including:

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1. Evidence Report Item No. ("Item No.") 1B164 - Apple MacBook Pro laptop, model A1278 in blue case, S/N: C02H72W8DV14;
2. Item No. 1B163 - Apple MacBook Pro laptop, model A1278 in black case with a spy sticker;
3. Item No. 1B161 - Apple iPad, 24KT gold color, Crown Resorts Melbourne, Perth, Macau, London with Logitech keyboard;
4. Item No. 1B160 - Black Apple iPad Mini, model A1454 in black and white case;
5. Item No. 1B158 - Apple iPad, model A1474, in red case, S/N: DLXLL11JFK17;
6. Item No. 1B156 - Verizon Samsung Galaxy S4 cell phone marked with G#55;
7. Item No. 1B148 - White Apple iPhone 5 in case;
8. Item No. 1B137 - Sony Xperia cell phone and charger;
9. Item No. 1B129 - Samsung Verizon cell phone;
10. Item No. 1B121 - Blackberry phone, IMEI:353489047599137;
11. Item No. 1B120 - Apple MacBook Air laptop computer, S/N: C02H40VRDJWV with power cord;
12. Item No. 1B119 - Samsung Galaxy Note 3, S/N: RF8F5084JHH;
13. Item No. 1B118 - Apple iPad, model A1490, S/N: F4KM639NF1MN;
14. Item No. 1B117 - Two (2) AT&T Sim Card packages;
15. Item No. 1B110 - Router, model WBR-6805, S/N: 14012400441 with power cord;
16. Item No. 1B109 - Cooler Master PC, S/N: MIN110KKA2001142100024;
17. Item No. 1B108 - Cooler Master PC, S/N: MIN110KKA2001142100049;
18. Item No. 1B107 - Cooler Master PC, S/N: MIN110KKA2001142100007;
19. Item No. 1B106 - Samsung Laptop Computer, S/N: JC6291GD2002;
20. Item No. 1B105 - Samsung Galaxy Note 3, S/N: A0000040A34269;
21. Item No. 1B104 - Samsung Verizon cell phone, S/N: A000004813EE84;

22. Item No. 1B103 - Samsung Verizon cell phone, S/N: A000004811F498;
23. Item No. 1B102 - Samsung Galaxy Note 3, S/N: RF8F509SKZV;
24. Item No. 1B101 - Samsung Galaxy Note 3, S/N: R5FF50CXHSN;
25. Item No. 1B100 - Apple iPhone model A1530, IMEI: 358030050972723;
26. Item No. 1B96 - Samsung Galaxy Note 3, model SM-N9005 cell phone, S/N:
RF1D80EDWJY;
27. Item No. 1B95 - Huawei Mobile WiFi device;
28. Item No. 1B93 - Samsung cell phone;
29. Item No. 1B92 - Nokia cell phone, black in color;
30. Item No. 1B91 - Apple iPhone model A1429, IMEI: 013350007417789;
31. Item No. 1B90 - Nokia cell phone, model 6120c;
32. Item No. 1B89 - Port WiFi, model E589u-12, S/N: P27NB92B1606782, IMEI:
863030010743378;
33. Item No. 1B86 - Samsung laptop, S/N: JD3V91GD7002 with power cord;
34. Item No. 1B83 - Samsung Galaxy Note 3, S/N: A000004577FCA5 with power
cord;
35. Item No. 1B82 - Apple MacBook Pro laptop, model A1502, S/N:
CO2LKPW6FGYY, with power cord;
36. Item No. 1B80 - Apple iPad Mini with pink cover, S/N: F87L6RPKF196 with
power cord;
37. Item No. 1B79 - Router Model WBR-6805, S/N: 14012400449;
38. Item No. 1B78 - Apple iPhone in yellow case;
39. Item No. 1B77 - Samsung cell phone, model SM-B311V, S/N:
A000004813EFD7;
40. Item No. 1B75 - Apple iPhone in black and silver case;
41. Item No. 1B74 - Samsung cell phone, Model SCH-U360;

42. Item No. 1B73 - Apple iPad Mini with pink case;
43. Item No. 1B71 - Samsung Galaxy Note 3, model SM-9005 S/N: RF8F123VM3F;
44. Item No. 1B70 - Samsung cell phone, model SCH-U365, S/N:
A00000458BD09C;
45. Item No. 1B69 - Huawei MiFi device, white in color;
46. Item No. 1B68 - Green Samsung, model 67-19505 with Sim Card, S/N:
RF1D62XYTDD;
47. Item No. 1B67 - White Samsung Galaxy Note 2 LTE GT-N7105, in purple case
with spare micro SD card, S/N: N105GSMH;
48. Item No. 1B64 - Samsung Verizon, model SCH-U365;
49. Item No. 1B63 - Huawei MiFi device;
50. Item No. 1B62 - Lenovo cell T-Mobile, model A859, S/N: HBQZZLRH;
51. Item No. 1B61 - Sony laptop, model SVP132A1CL, S/N: 54602011-0002516,
service Tag: C60C84ER, product name SVP1321DCXS with charger;
52. Item No. 1B59 - Samsung Galaxy Note 3, model SM-N9005, S/N:
RF1DB3FDABJ;
53. Item No. 1B58 - Samsung Galaxy Note, model SM-N900 with power cord, S/N:
RF1DC2M8VFF;
54. Item No. 1B57 - Samsung Note, model SM-N9005, S/N: RF8F5DHC5DK;
55. Item No. 1B56 - Samsung cell, model SCH-U360, S/N: A0000030224937;
56. Item No. 1B48 - One Samsung Black G'z One Verizon cell phone with charger,
S/N: 124350041136;
57. Item No. 1B44 - Apple iPhone 5S, IMEI: 358030052837817 with Kenzo USA
case;
58. Item No. 1B43 - Apple iPhone 5S, IMEI: 358763054971792 with Kenzo eyeball
case;

59. Item No. 1B35 - Apple iPhone 5S, S/N: C39LWHKZFRC7 with Kenzo Paris case;
60. Item No. 1B27. Kindle, black in color;
61. Item No. 1B24 - LG model LG-VN150PP flip phone;
62. Item No. 1B23 - Apple iPhone 5S white, S.N: C39MQ0ZVFNNL;
63. Item No. 1B20 - White iPad Mini;
64. Item No. 1B19 - Samsung phone, model SCH-U365, S/N: FCCIDA3L5CHU365;
65. Item No. 1B17 - Apple iPhone model A1530, IMEI: 358763054266086 with "The Devil" cover;
66. Item No. 1B16 - Apple iPhone model A1530, IMEI: 358842050988057;
67. Item No. 1B15 - Apple iPhone 5S, S/N: F17MV2S1FNJQ;
68. Item No. 1B14 - Apple iPhone 5S, S/N: C39LX066FNNK;
69. Item No. 1B13 - Apple iPhone, model A1429, IMEI: 013404004478904;
70. Item No. 1B12 - Verizon Samsung flip phone "G#52";
71. Item No. 1B3 - Apple MacBook Pro, model A1278, S/N: C02JHFFLD54 with power cord;
72. Item No. 1B2 - Apple MacBook Pro, model A1278, S/N: C02MJBWFD57;
73. Item No. 1B1 - Razer laptop, S/N: BY1333102400135;
74. Item No. 1B245 - Apple iPhone, model A1533, S/N: F2LMT11ZFFFK;
75. Item No. 1B238 - Apple iPhone, model A1533, S/N: F17LX4Q2FFFQ;
76. Item No. 1B237 Samsung Galaxy Note 3 cell phone, model SM-B311V, MEID: A000004811D4A0;
77. Item No. 1B230 - Samsung cell phone, model SCH-U365, MEID: A000003901AA3A;
78. Item No. 1B229 - Samsung cell phone, model N9005, SSN: N9005GSMH;
79. Item No. 1B225 - Black Apple iPhone, model A1533, IMEI: 013888006419983;

1 80. Item No. 1B224 - Black Apple iPhone, model A1533, IMEI: 013846006747662;

2 81. Item No. 1B223 - Sim cards inside a folded paper;

3 82. Item No. 1B215 - Apple iPhone, model A1533, IMEI: 013885008565615, white
4 in color;

5 83. Item No. 1B214 - Samsung cell phone, model SPH-M270, HEX:
6 A0000047CF59A9

7 (all of which constitutes "property");

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States of America
9 is now entitled to, and should, reduce the aforementioned property to the possession of the United States
10 of America;

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States of America
12 should take into custody the aforementioned property;

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all right, title, and interest of
14 Darren Wai Kit Phua in the aforementioned property is forfeited and is vested in the United States of
15 America and shall be safely held by the United States of America until further order of the Court;

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
17 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
18 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
19 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
20 name and contact information for the government attorney to be served with the petition, pursuant to
21 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity who
23 claims an interest in the aforementioned property must file a petition for a hearing to adjudicate the
24 validity of the petitioner's alleged interest in the property, which petition shall be signed by the
25 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and Title
26 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's right,

1 title, or interest in the forfeited property and any additional facts supporting the petitioner's petition and
2 the relief sought.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
4 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than
5 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days after
6 the first day of the publication on the official internet government forfeiture site, www.forfeiture.gov.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
8 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
9 following address at the time of filing:

10 Daniel Hollingsworth
11 Assistant United States Attorney
12 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein need
14 not be published in the event a Declaration of Forfeiture is issued by the appropriate agency following
15 publication of notice of seizure and intent to administratively forfeit the above-described property.

16 DATED this 6th day of March, 2015.

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20 UNITED STATES DISTRICT COURT
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